

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

February 25, 2003

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FROM: KEN A. MILLER, Director
Department of Public Works - **Flood Control**

SUBJECT: **AMENDMENT NO. 1 TO AGREEMENT NO. 02-504 WITH THE SANTA ANA WATERSHED PROJECT AUTHORITY (SAWPA)**

RECOMMENDATION: Acting as the governing body of the Flood Control District (District), approve Amendment No. 1 to Agreement No. 02-504 with the Santa Ana Watershed Project to incorporate State Water Resources Control Board non-discrimination clause as required to receive grant funding for the Riverside Drive Storm Drain Segment 2, Ontario area.

BACKGROUND INFORMATION: Heavy runoff from winter storms in February 1998 resulted in localized flooding of numerous dairies in the dairy land areas in Southern California causing significant damage including loss of numerous cows and calves. Local, state and federal officials recognized the potential for similar future events and the United States Department of Agriculture's Natural Resources Conservation Service (NRCS) appropriated \$5.5 million to provide flood protection for this area. The District approved an agreement with NRCS in September 1998 to receive the \$5.5 million, resulting in the construction of the Grove Avenue Detention Basin and Riverside Drive Storm Drain Segment 1, which now provide protection for the westerly portion of the dairy land area.

The Riverside Drive Storm Drain Segment 2 will provide construction of improvements from Walker Avenue to the existing Lower Cucamonga Spreading Grounds consisting of approximately 9,500 lineal feet of reinforced concrete pipe, catch basins, culverts and inlet structure at the basin at a total estimated cost of \$10.3 million. On July 17, 2001 the Board approved a Cooperative Agreement with NRCS in which NRCS will provide \$4.75 million to assist in the financing of this project.

On June 18, 2002, the Board approved Agreement 02-504 with SAWPA for \$4,700,000 Proposition 13 Water Bonds funds to supplement NRCS funding for the Riverside Drive Storm Drain, Segment 2 project. The remaining cost of this Project (\$850,000) will be split equally between the City of Ontario and the District

Amendment No. 1 incorporates a non-discrimination clause which was omitted in the previously approved SAWPA Agreement No. 02-504. The State Water Resources Control Board requires this non-discrimination clause in all SAWPA's Grant Funding Contracts. All other items and conditions of Agreement 02-504 shall remain unchanged.

REVIEW BY OTHERS: This item was reviewed by Deputy County Counsel Charles S. Scolastico on January 28, 2003 and by the County Administrative Office (Tom Forster, Administrative Analyst) on February 13, 2003.

FINANCIAL IMPACT: The approval of this Amendment has no net financial impact because there are no overall cost share dollar changes.

SUPERVISORIAL DISTRICT(S): 4th

PRESENTER: Ken A. Miller 387-7906

Record of Action of the Board of Supervisors